

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ADRIANNA JARRETT, et al.,

Plaintiffs,

v.

[24]7.AI, INC.,

Defendant.

Case No. 23-cv-00677-EMC

**ORDER RE STIPULATION TO  
CONDITIONAL CERTIFICATION**

Docket No. 40

The Court has reviewed the parties' stipulation to conditional certification. The stipulation is acceptable in principle, but there are some areas where the Court has follow-up questions.

1. Definition of Collective

The collective is defined so that it covers the three years preceding the filing of the complaint up through and including judgment. *See* Prop. Order ¶ 1; *see also* Stip., Ex. A (Long-Form Notice at 1) (directing the notice to "All current and former hourly Customer Service Representatives who worked for [24]7.ai, Inc. on or at any time after February 15, 2020 to the present"). Does a specific end date need to be included – such as the date the notice is issued? *Cf. Gomez v. J. Jacobo Farm Labor Contr., Inc.*, 334 F.R.D. 234, 250 (E.D. Cal. 2019) (in class certification context, noting that "[a]n end date of 'the present' creates a moving target and presents potential case management problems").

2. Long-Form Notice (Exhibit A)

Regarding Question 3, there is a description of the means by which a collective member may send in a consent form (*e.g.*, by mail, email). The notice states that "you may request to submit your form online by emailing [Notice Administrator email]." Long-Form Not. at 2. This

1 sentence is not clear: why does a collective member need to email the Notice Administrator to  
2 submit a consent form online? The Court also notes that submission of a consent form online is  
3 not mentioned in the short-form notice.


4 3. Consent Form

5 The last paragraph of the consent form states: “I also consent to join any separate or  
6 subsequent action to assert my claims against [24]7.ai, Inc. and/or any related entities or persons  
7 potentially liable.” Is this statement necessary? Why has it been included? The phrase “my  
8 claims” is also arguably vague.

9 The parties shall file a joint brief within a week of the date of this order.

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11 **IT IS SO ORDERED.**

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13 Dated: June 28, 2023

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16 EDWARD M. CHEN  
17 United States District Judge  
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